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# PREVENTION OF AN ARMS RACE IN OUTER SPACE

## Report of the First Committee

Rapporteur: Mr. Miloš KOTEREC (Slovakia)

## I. INTRODUCTION

1. The item entitled "Prevention of an arms race in outer space" was included in the provisional agenda of the fifty-second session of the General Assembly in accordance with Assembly resolution 51/44 of 10 December 1996.

2. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 9 October 1997, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 62 to 82, which was held at the 3rd to 12th meetings, from 13 to 17 and from 20 to 24 October (see A/C.1/52/PV.3-12). Structured discussions of specific subjects on the adopted thematic approach were held at six informal meetings, from 27 to 31 October. Draft resolutions on the items were considered at the 15th to 17th meetings, from 5 to 7 November (see A/C.1/52/PV.15-17); action was taken on them at the 18th to 24th meetings, from 10 to 14 and on 17 November (see A/C.1/52/PV.18-24).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Conference on Disarmament;[1]

[1] Official Records of the General Assembly, Fifty-second Session, Supplement No. 27 (A/52/27).

(b) Letter dated 7 May 1997 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General, transmitting the results of the 97th Conference of the Inter-Parliamentary Union, held at Seoul from 10 to 15 April 1997 (A/52/139);

(c) Letter dated 1 October 1997 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General, transmitting the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the fifty-second session of the General Assembly, held in New York on 25 September 1997 (A/52/447-S/1997/775).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/52/L.19

5. At the 16th meeting, on 6 November, the representative of Sri Lanka, on behalf of Chile, China, Costa Rica, the Democratic People's Republic of Korea, Egypt, India, Indonesia, Kenya, Malaysia, Myanmar, Nigeria, Sri Lanka and the Sudan, introduced a draft resolution entitled "Prevention of an arms race in outer space" (A/C.1/52/L.19). Subsequently, Algeria, Bangladesh, Brunei Darussalam, Cuba, the Islamic Republic of Iran and Mongolia joined in sponsoring the draft resolution.

6. At its 19th meeting, on 11 November, the Committee adopted draft resolution A/C.1/52/L.19 by a recorded vote of 101 to none, with 40 abstentions (see para. 7). The voting was as follows:[2]

In favour: Algeria, Angola, Antigua and Barbuda, Armenia, Australia, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Georgia, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia.

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[2] Subsequently, the delegations of Haiti, Jordan, Nigeria and Zimbabwe indicated that, had they been present, they would have voted in favour.

Against: None.

Abstaining: Albania, Andorra, Argentina, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

## III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

### Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development.

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[3]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[4] in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue and taking note of the proposals submitted to the General Assembly at its tenth special session and at

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[3] Resolution 2222 (XXI), annex.

[4] Resolution S-10/2.

its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[5] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Noting also that there were no objections in principle in the Conference on Disarmament during its 1997 session to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,[6]

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

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[5] Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27), sect. III.D (para. 5 of the quoted text).

[6] CD/1125.

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. Reaffirms the importance and urgency of preventing an arms race in outer space, and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[3]

2. Reaffirms its recognition, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. Emphasizes the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. Calls upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. Reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. Invites the Conference on Disarmament to re-examine the mandate contained in its decision of 13 February 1992,[6] with a view to updating it as appropriate, thus providing for the re-establishment of the Ad Hoc Committee during the 1998 session of the Conference on Disarmament;

7. Recognizes, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. Urges States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral or multilateral negotiations on the matter, if any, so as to facilitate its work;

9. Decides to include in the provisional agenda of its fifty-third session the item entitled "Prevention of an arms race in outer space".

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